

REMARKS

In the present Amendment, claims 1 and 14 have been amended to recite that the compound (A) is a monocarboxylic acid compound. Accordingly, claims 16 and 17 have been canceled. In addition, claim 4 has been amended consistent with the amendment to claim 1. No matter is added and entry of the Amendment is respectfully requested.

Upon entry of the Amendment, claims 1-15 will be pending.

In Paragraph No. 4 of the Action, claims 1-5 and 7-17 are rejected under 35 U.S.C. § 102(a) as allegedly being anticipated by Goto et al (EP 1 369 232 A1).

Goto et al was published on December 10, 2003 and is prior art solely under 35 U.S.C. § 102(a). Goto et al's publication date of December 10, 2003 is later in time than the filing dates of both of Applicant's priority documents. To remove Goto et al as prior art, Applicant submits herewith a certified English translation of one of his priority documents, namely, JPA No. 2003-194852 filed July 10, 2003. Section 112 support for the present claims is shown in the following chart:

Claim	Section 112 support in JPA '852
1	Claim 1; claim 5; page 9, line 9; page 10, line 1
2	Claim 2
3	Claim 3
4	Claim 4
5	Claim 5
7	Claim 6

Claim	Section 112 support in JPA '852
8	Claim 6; page 10, lines 2-6
9	Claim 6; page 10, lines 2-6
10	Claim 6; page 10, lines 2-6
11	Page 10, lines 7-8
12	Page 10, lines 8-16. See also the exemplified compounds for support for the recitation that R ⁸ and Z may be taken together to form a ring structure.
13	Page 24, line 19 to page 25, line 2
14	Claim 7; claim 5; page 9, line 9 to page 10, line 1
15	Claim 8

In view of the above, the Examiner is respectfully requested to withdraw the rejection based on Goto et al EP '232.

In Paragraph No. 5 of the Action, claims 1-5 and 7-17 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Timpe et al (U.S. 2002/0197564 A1).

Applicant submits that this rejection should be withdrawn because Timpe et al does not disclose or render obvious the polymerizable composition of the present invention.

The polymerizable composition of the present invention includes as component (A) a monocarboxylic acid. Timpe et al does not identically disclose or fairly suggest a polymerizable composition within the scope of the present claims employing a monocarboxylic acid. Timpe et al discloses a very broad genus of carboxylic acids which may include monocarboxylic acids,

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see Timpe et al at [0073], but expresses a clear preference for dicarboxylic acids. See Timpe et al at [0129] and [0131]. The carboxylic acids of Timpe et al pointed to by the Examiner are dicarboxylic acids. See Timpe et al at claim 4.

There is an independent basis for the patentability of present claim 12 over Timpe et al. The Examiner takes the position that Z in formula (i) of present claim 12 may represent a hydrogen atom. However, the language of the claim indicates otherwise. The claim recites that Z represents a "monovalent substituent". Since the claim also recites that R⁶, R⁷ and R⁸ each independently represents "a hydrogen atom or a monovalent substituent," it is clear that the expression "monovalent substituent" does not include a hydrogen atom.

In view of the above, the Examiner is respectfully requested to reconsider and withdraw the § 102(b) rejection of claims 1-5 and 7-17 based on Timpe et al.

In Paragraph No. 6 of the Action, claims 1-5 and 7-17 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Hauck et al (U.S. 6,309,792 B1).

Applicant submits that this rejection should be withdrawn because Hauck et al does not disclose or render obvious the polymerizable composition of the present invention.

Hauck et al's IR-sensitive composition includes at least one polycarboxylic acid. See, e.g., Hauck et al's Abstract. As noted, the present claims pertain to a polymerizable composition employing a monocarboxylic acid. Hauck et al does not disclose, teach or suggest the use of a monocarboxylic acid in a polymerizable composition.

Further, claim 12 is patentable over Hauck et al for an additional reason, namely, the same reason that claim 12 is independently patentable over Timpe et al, as discussed above.

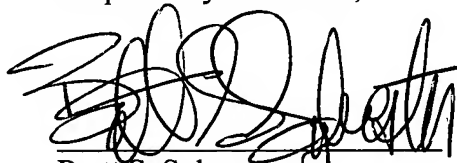
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In view of the above, the examiner is respectfully requested to reconsider and withdraw the § 102 rejection of claims 1-5 and 7-17 based on Hauck et al.

Allowance is respectfully requested. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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